

Independent Ethics Commission – Formal Complaint Form

Before the Independent Ethics Commission  
of the State of Colorado

*For Commission Use Only*

Received date: 21-Jul-2017

Case. No.: 17-31

The Complainant is: Stephen (Steve) Harrison, with other current and former Trustees

Mailing Address (including city and zip code):

84 Pinion Ridge Drive, Williamsburg Colorado 81226

Daytime telephone number: 719-429-4100

Email address: cpthydro@verizon.net

The Respondent is: Steve Ricotta, Town of Williamsburg Trustee

Mailing Address (including city and zip code):

22 Bear Gulch Road, Williamsburg, CO 81226

Daytime telephone number: Home 719-784-2169

Email address: clerkwilliamsburg@bresnan.net

When did the alleged violation occur: November 15, December 9th 2016 thru March 6th 2017

Describe the specific acts or things complained of, with facts that provide a full understanding of the alleged violation(s). If possible, cite the specific ethical standards alleged to have been violated and describe how the violation(s) occurred. Use additional pages if necessary. Attach any documentary evidence you wish to submit.

I, Stephen D. Harrison, past Williamsburg Board Member, is point of contact for this complaint.

Trustee Steve Ricotta benefited directly along with his wife, Town Clerk, Lucinda Ricotta in acquiring public land, Town alley which is defined as a public street in C.R.S. 43-2-301 without public notice and Town Ordinance per C.R.S 43-2-303(c).

Trustee Steve Ricotta actions need to be investigated. The fact of not informing the previous and current board members along with further recording instruments to transfer public property to him and his wife without a public meeting or Ordinance that would require a public meeting reeks of embezzlement

Additional Space on Next Page

Description of acts or things complained of (continued):

(C.R.S. 8-8-407), having ulterior motives, willfully violating the public trust by a person in authority (C.R.S. 18-8-308 ) by not performing these actions in public.

Please note attached statement signed by current, former Town of Williamsburg Trustees and exhibits.

Check the box or boxes indicating the remedy sought:

☒ Public Admonishment

☒ Fines

I hereby acknowledge that the facts presented herein are true to the best of my knowledge, and I will cooperate in the process regarding this complaint and will appear at any proceeding of the Independent Ethics Commission if the complaint is scheduled for a hearing.

Signature: Stephen (Steve) Harrison

Attorney (if applicable): NA

Dated at Williamsburg (City), Colorado, this 20 day of July, 2017.

Created by Article XXIX of the Colorado Constitution, the Independent Ethics Commission may review and hold hearings on matters falling within its jurisdiction as outlined in Article XXIX.



I. **Background**

Election for the Town of Williamsburg Colorado, Fremont County, was held coinciding with the National Election, November 8<sup>th</sup> 2016. Joshua Baker was Mayor from election 2014 until the 2016 candidates were sworn into office by the Town Clerk at the December 5<sup>th</sup> 2016 meeting.

Town of Williamsburg election of November 2014 provided for the following offices:

- **Mayor:** Joshua Baker
- **Mayor Pro Tem:** Billy Jack Hawkins
- **Trustee:** Donna Krautheim
- **Trustee:** Jerry Farringer
- **Trustee:** Nia Stewart
- **Trustee:** Alberta Winslow
- **Trustee:** Forrest Borre
- **Town Clerk:** Lucinda Ricotta
- **Assistant Clerk:** Donnita Hawkins
- **Town Attorney:** Dan Slater

Town of Williamsburg election of November 2016 provided for the following offices after being sworn in:

- **Mayor:** Jerry Farringer
- **Mayor Pro Tem:** Billy Jack Hawkins
- **Trustee:** Eva Mares
- **Trustee:** Shane Espinoza
- **Trustee:** Steve Ricotta (Husband Town Clerk)
- **Trustee:** Forrest Borre
- **Trustee:** Robert Busetti
- **Town Clerk:** Lucinda Ricotta
- **Assistant Clerk:** Donnita Hawkins (Wife Mayor Pro tem)
- **Town Attorney:** Dan Slater

II. **The Complaint** centers around Trustee Elect / Town Trustee Steve Ricotta that was party to filings with the Fremont County Clerk and Recorder documents with Fremont County Reception numbers 944790 and 944789 dated November 15 2016 (attached as Complaint Exhibit #1 and #2) that are on Town of Williamsburg Letter Head, with Town Seal by the Town Clerk, vacating alleys and lot lines around a building erected by *The Brotherhood of the 74* , benefiting Steve Ricotta, current Town of Williamsburg Trustee and his wife Town Clerk Lucinda Ricotta without Town Board approval or authorization.

After being questioned during the regular meeting of 9 January 2017, the Town Clerk Lucinda Ricotta (wife of Trustee Steve Ricotta) recorded further erroneous documents with reception numbers 946386 (Exhibit 4), 946387 (Exhibit 5) and 946388 (Exhibit 6) also without Town Board approval or authorization.

Key issues are:

The Brotherhood of the 74 (Steve Ricotta, President) constructed their building/garage prior to lot lines being vacated and a hearing or vote by the Town Board to approve the recording of documents 944790 and 944789 November 15 2016.

Town Clerk, Lucinda Ricotta recorded these documents without Town of Williamsburg Board of Trustees approval and the then Current Mayor, Joshua Baker, knowledge of the proposed transaction(s). It is the Complainant's belief that Steve Ricotta had full knowledge of these actions and was party to CRS 18-5-113 Criminal Impersonation by the 2016 Mayor Elect and had knowledge of along with being party to CRS 15-5-114 Offering false instrument for recording.



The Brotherhood of the 74, President Steve Ricotta is in fact the Town Clerk's spouse and benefited from this transaction after the November 6<sup>th</sup> General election and prior to his, Steve Ricotta (Exhibit 6), being sworn in as a 2016 elect Town Trustee by the Town Clerk.

Complainants believe Trustee Elect / Town Trustee Steve Ricotta has voted without disclosing he has a conflict such as (Exhibit 7 –December 2016 meeting) voting for resolution 4 of 2016, retaining his wife as Town Clerk, Personnel Annual Bonuses once again concerning his wife the Town Clerk and importantly by voting for vacation of the alley way that he has interest in (item 3 of Exhibit 7) and as recorded by the Town Clerk in Exhibit 1 and later in Exhibit 6.

The Complainants believe that Trustee Elect / Town Trustee Steve Ricotta has shown lack of ethics by in part violating C.R.S 18-8-308 Failing to disclose a conflict of interest, C.R.S 18-1-901 part 9, 3(o) "Public servant" means any officer or employee of government, whether elected or appointed, and any person participating as an advisor, consultant, process server, or otherwise in performing a governmental function, but the term does not include witnesses. **And**

**C.R.S. 8-8-407.** Embezzlement of public property (1) Every public servant who lawfully or unlawfully comes into possession of any public moneys or public property of whatever description, being the property of the state or of any political subdivision of the state, and who knowingly converts any of such public moneys or property to his own use or to any use other than the public use authorized by law is guilty of embezzlement of public property. Every person convicted under the provisions of this section shall be forever thereafter ineligible and disqualified from being a member of the general assembly of this state or from holding any office of trust or profit in this state. (2) Embezzlement of public property is a class 5 felony.

The property action(s) were not acted upon as a Town Ordinance in a public meeting with an assenting vote from either seated town board, noted as 2014 Town Board or 2016 Town Board.

At the beginning of the issue of concern, 2016 Board member Eva Mares (co-complainant) became aware of the discrepancy after the 2016 election in preparation for her taking her elected seat. Past Town Board Member Stephen (Steve) Harrison verified that Fremont County Reception numbers 944790 and 944789 were recorded November 15 2016. The timing and procedure seemed suspicious as there was never a public notice that this action would be taken.

Steve Harrison attended the January 9<sup>th</sup> 2017 meeting and digitally recorded portions of the meeting where thru questions directed at Mayor Jerry Farringer, he verified that the two documents, 944790 and 944789 were recorded at the Fremont County Clerk and Recorder office with the Town Clerk paying cash for the recording fee and being reimbursed by the Town.

Jerry Farringer admitted he was not Mayor at the time the documents were recorded with full knowledge of the Town Clerk Lucinda Ricotta and there had not been an Ordinance or Quit Claim deed prepared to convey the Town's public alley right-away as "they are not required to do so in Discussion with the County (Fremont)". During the January 9<sup>th</sup> meeting, Trustee Eva Mares provided a letter pointing out that the minutes of December 5<sup>th</sup> 2016 did not include the board discussing alley and interior lot line vacation for the Trustee Steve Ricotta's *The Brotherhood of the 74* garage and building project. The board voted to approve the Trustee Mare's letter as an addendum to the December 5<sup>th</sup> minutes (Attached as Complaint Exhibit 3).

Since the 9 January 2017 public meeting, The December 5<sup>th</sup> minutes have been posted by Town Clerk Lucinda Ricotta (spouse of Trustee Steve Ricotta) on the Town Web site and erroneously state:

**3. VACATE ALLEYWAY**

A Written submission by Donna Duncan to vacate alleyway of block 4 on Pikeview and **The Brotherhood of the 74** request the same for block 5. A motion was made by Billy Jack to vacate the 10-foot alleyway easement between east and west lots. Seconded by Forrest. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.

The statement above ..." and **The Brotherhood of the 74**" were not discussed and subsequently the recent Fremont County recordings below appear to be a cover-up. Three other erroneous Fremont County Clerk recordings have been made with reception numbers 946386, 946387 and 946388 dated 6<sup>th</sup> December. Note, there are many discrepancies in all five (5) of these recordings that should be investigated as information does not match up with plat records and or property owners.



The complaint attachments Exhibits 4, 5 and 6 did not exist prior to the 9th of January when Steve Harrison questioned the Town Board. It should be noted that the recording of documents 4, 5 and 6 is the 11th of January. It should be further noted that on Exhibit 5, Donna Duncan has signed for text that includes the brotherhood of the 74 which is unclear to the people associated with this complaint.

Town Clerk Lucinda Ricotta has continued to cover up the action by finally sharing with the Town Attorney Daniel Slater 719-269-3315 that this was only a lot line adjustment, when in fact it includes an alley-way vacation.

Although the Colorado Independent Ethics Commission likely does not have direct jurisdiction over the Colorado Sunshine laws, the fact that the Town continues to violate the Colorado Sunshine law, even though they have been reminded the last several meetings that the CRS applies to the Town. The Board states they will be going into executive session for "legal or personnel" and discuss other items that should be discussed in public.

This is not a petty issue for those of us concerned with how the town's money is being spent; also, the Town Clerk Lucinda Ricotta, nor her husband Trustee Steve Ricotta by vote, that printed copies be provided to all board members or the public of check registers with check numbers and associated bank statements upon request. Town bills are not approved for payment by the Town Board each month. These items demonstrate further lack of ethics on behalf of Steve Ricotta and Town Clerk of Williamsburg Colorado.

A few of us have suggested that copies of the Colorado Municipal League booklet for the Town Clerk and Town Board Members be acquired or have Colorado Municipal League come down to give classes and the majority of the board states that it does not apply to this Town nor do they need this.

### III. **Motive.**

Trustee Steve Ricotta benefited directly along with his wife, Town Clerk, Lucinda Ricotta in acquiring public land, Town alley which is defined as a public street in C.R.S. 43-2-301 without public notice and Town Ordinance per C.R.S 43-2-303(c). It could also be that her statements of "The Town of Williamsburg" is not subject to the Colorado Revised Statutes, even after pointing out to Steve Ricotta, the Mayor and the other current Board Members specific C.R.S. Statutes and informational booklets from the Colorado Municipal League require such adherence of Colorado Law.


### IV. **Opinion and Relief Requested:**

Trustee Steve Ricotta actions need to be investigated. The fact of not informing the previous and current board members along with further recording instruments to transfer public property to him and his wife without a public meeting or Ordinance that would require a public meeting reeks of embezzlement (C.R.S. 8-8-407), having ulterior motives, willfully violating the public trust by a person in authority (C.R.S 18-8-308 ) by not performing these actions in public. 2014 Mayor Joshua Baker, 2014 Trustee Donna Krautheim along with other individuals can supply further information concerning this issue. Current Trustee's Shane Espinoza and specifically Eva Mares can supply in depth details as Ms. Mares has attended most of the Town public meetings prior to being sworn in as current Town Trustee.

The following Town members would like to see an investigation and legal action if it has merit.

1. Stephan Harrison, Stephan Harrison (719) 429 4100
2. EVA L. MARES, Eva L Mares (719) 719-280-9136
3. RONALD E. MARES, Ronald E Mares (719) 784-3368
4. Steven W. Gardner, Steven W Gardner (719) 369-0238
5. Shane C Spinoza, Shane C Spinoza (719) 371-7995

TOWN OF WILLIAMSBURG  
1 JOHN STREET  
WILLIAMSBURG, COLORADO 81226  
Phone (719)784-4511\*Fax (719)784-4064  
[clerkwilliamsburg@bresnan.net](mailto:clerkwilliamsburg@bresnan.net)

944789 Pages: 1 of 1  
11/15/2016 04:41 PM R Fee \$11.00  
Katie E. Barr, Clerk and Recorder, Fremont County, CO  


November 15, 2016

Fremont County Clerk & Recorder  
615 Macon Ave Room 103  
Canon City, Colorado 81212

RE: Vacation of Lot Lines

Williamsburg is in agreement and approves the vacation of the Brotherhood of the 74's request to vacate all lot lines within of block 5, Lots 4-20 of Colorado Fuel and Iron CO's addition to Williamsburg. Schedule numbers: 64000470, 98204337 and 98204338. For further use and development of this property located within block 5 to be recorded as Lot 1 of block 5 Brotherhood of the 74 subdivision addition to Williamsburg filling 1 and physical address of 4 Pikeview, Williamsburg, CO 81226.

Reference to:  
C/O Steve Ricotta, President  
RG Chapter  
Brotherhood of the 74  
22 Bear Gulch Rd  
Williamsburg, CO 81226

Approved: Jerry Farringer, Mayor


Attest & Submitted By: Lucinda Ricotta, Town Clerk





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TOWN OF WILLIAMSBURG  
1 JOHN STREET  
WILLIAMSBURG, COLORADO 81226  
Phone (719)784-4511\*Fax (719)784-4064  
[clerkwilliamsburg@bresnan.net](mailto:clerkwilliamsburg@bresnan.net)  
[williamsburgcolorado.com](http://williamsburgcolorado.com)

944798 Pages: 1 of 1  
11/15/2016 04:41 PM R Fee:\$11.00  
Katie E. Barr, Clerk and Recorder, Fremont County, CO  


November 15, 2016

Fremont County Clerk & Recorder  
615 Macon Ave Room 103  
Canon City, Colorado 81212

RE: Vacate Alley easement

The Town of Williamsburg has approved the vacation of alleyway of block 4 and 5 of Colorado Fuel and Iron CO's addition to Williamsburg. For further use and development of property owners located within these blocks.

Approved: Jerry Farringer, Mayor

Attest & Submitted By: Lucinda Ricotta, Town Clerk





Town of Williamsburg clerks,

RECEIVED JAN 04 2017 RH

The minutes of December 05, 2016

VACATE ALLEYWAY SHOULD READ:

A WRITTEN SUBMISSION BY DONNA DUNCAN TO VACATE ALLEYWAY  
WITH THE FOLLOWING LEGAL:  
SUB. WILLIAMSBURG CFI CO LOTS 3-7 AND 11-16 BLOCK 4 COLORADO FUEL  
AND IRON CO.

Eva Mares questioned about a sheet of paper that was in her package and asked what it was.

She said it is something about 11-15-2016:

Jerry said: I don't know anything about it.

Lucinda Ricotta said: Oh I just typed that up so it would be ready to go.

Eva also asked if the Raley knew about it.

See sheet (1) Duncan's letter.

See sheet (2) map that we were given.

The map is property to the south and east of Harry Street.

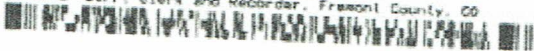
There was nothing in our folder about the property of the Brotherhood 74.  
Or legal of the Brotherhood of 74,

Thank you,  
Eva L. Mares

*Eva L. Mares*

Received by \_\_\_\_\_ Date \_\_\_\_\_  
Time \_\_\_\_\_

TOWN OF WILLIAMSBURG  
1 JOHN STREET  
WILLIAMSBURG, CO 81226  
(719)784-4511  
clerkwilliamsburg@bresnan.net

946386 Pages: 1 of 1  
01/11/2017 04:17 PM R Fee: \$13.00  
Karin E. Barr, Clerk and Recorder, Fremont County, CO  


December 6, 2016

Fremont County Clerk & Recorder  
615 Macon Ave Room 103  
Canon City, Colorado 81212

RE: Vacate Alley easement

The Town of Williamsburg has approved the vacation of alleyway of block 4 and 5 of Colorado Fuel and Iron CO's addition to Williamsburg. For further use and development of property owners located within these blocks,


  
Approved: Jerry Farringer, Mayor

  
Attest & Submitted By: Lucinda Ricotta, Town Clerk





TOWN OF WILLIAMSBURG  
1 JOHN STREET  
WILLIAMSBURG, CO 81226  
(719)784-4511  
clerkwilliamsburg@bresnan.net

946387 Pages: 1 of 1  
01/11/2017 04:17 PM R Fee:\$13.00  
Kathie E. Barr, Clerk and Recorder, Fremont County, CO  


December 6, 2016

Fremont County Clerk & Recorder  
615 Macon Ave Room 103  
Canon City, Colorado 81212

RE: Vacation of Lot Lines

Williamsburg is in agreement and approves the vacation of the Brotherhood of the 74's request to vacate all lot lines within of block 4, Lots 3-7 and 11-16 of Colorado Fuel and Iron CO's addition to Williamsburg. Parcel number 9990404058 Ref From 992-04-447. For further use and development of this property located within block 4.  
Williamsburg, CO 81226



Donna Duncan  
14 Iron Horse Rd S  
Williamsburg, Co 81226


  
Approved: Jerry Farringer, Mayor



Attest & Submitted By: Lucinda Ricotta, Town Clerk



TOWN OF WILLIAMSBURG  
1 JOHN STREET  
WILLIAMSBURG, CO 81226  
(719)784-4511  
clerkwilliamsburg@bresnan.net

945388 Pages: 1 of 1  
01/11/2017 04:17 PM R Fee:\$13.00  
Rafis E. Sarr, Clerk and Recorder, Fremont County, CO  


December 6, 2016


Fremont County Clerk & Recorder  
615 Macon Ave Room 103  
Canon City, Colorado 81212

RE: Vacation of Lot Lines

Williamsburg is in agreement and approves the vacation of the Brotherhood of the 74's request to vacate all lot lines within of block 5, Lots 4-20 of Colorado Fuel and Iron CO's addition to Williamsburg. Schedule numbers: 84000470, 98204337 and 98204338. For further use and development of this property located within block 5 to be recorded as Lot 1 of block 5 Brotherhood of the 74 subdivision addition to Williamsburg filling 1 and physical address of 4 Pikeview, Williamsburg, CO 81226.

Reference to:  
C/O Steve Ricotta, President  
RG Chapter  
Brotherhood of the 74  
22 Bear Gulch Rd  
Williamsburg, CO 81226

  
Approved: Jerry Farringer, Mayor

  
Attest & Submitted By: Lucinda Ricotta, Town Clerk





Town of Williamsburg, Co.  
Board of Trustee Meeting of December 5, 2016

**PRESENT:**

Joshua Baker, Mayor  
Billy Jack Hawkins, Pro Tem Mayor  
Forrest Borre, Town Trustee  
Alberta Winslow, Town Trustee  
Nia Stewart, Town Trustee  
Jerry Farringer, Town Trustee

**ABSENT:**

Donna Krautheim, Town Trustee

CRS 18-8-308 fail to  
disclose conflict  
CRS 8-8-407 embezzlement  
of public property

Citizens at meeting – 15

Budget Workshop held prior to Board of Trustee Meeting at 6:30 p.m.

**CALL TO ORDER:** Meeting was called to order by Joshua Baker, Mayor at 7:05 p.m.

**PLEDGE ALLIGANCE:** Joshua led the meeting by reciting the Pledge of Allegiance.

**LAST MEETING MINUTES:** Nia made a motion to accept the meeting minutes of 11/07/2016 as presented. Billy Jack seconded the motion. Roll Call: 6 yes, 0 no, 0 abstain and 1 absent. Motion Carried.

Jerry made a motion to take a ten minute break before the swearing in of the newly elected board. Nia seconded the motion. Roll Call: 5 yes, 1 no (Joshua) 0 abstain and 1 absent. Motion Carried.

Newly elected board members took their assigned seating positions (at meeting table) for the swearing in of oath of office. Lucinda read the town results from the November 8, 2016 election. She then proceeded with the swearing in of oath of office for Jerry Farringer, Mayor at a 2 year term from December 2016 thru November 2018. Then the swearing in oath of office of Williamsburg town trustees; Shane Espinoza, Bob Busetti and Forrest Borre a 4 year term; Billy Jack Hawkins, Eva Mares and Steve Ricotta a 2 year term.

pg 1 of 16

**CITIZENS COMMENTS:** No one signed up.

**EXECUTIVE SESSION:** Jerry made a motion to retire into executive session. Forrest seconded the motion. Forrest asked the board permission to allow Alberta to attend executive session due to her assisting him with the job interviews. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried. Board and Alberta retired into executive session at 7:20 p.m., returned at 7:49 p.m. Meeting resumed. Discussed their recommendation of who to hire as Code Enforcement and Deputy Clerk. .

**MAYOR'S REPORT:** Jerry thanked the community for electing him as town mayor.

He stated that his priority as mayor is to improve the condition of the town's paved roads; also research funding for a town Marshal (share between the three coal towns) and purchase of town equipment.

Jerry read a list of rules for public meeting process.

Jerry made a motion to have Billy Jack Hawkins continue as Pro-Tem Mayor. Forrest seconded the motion. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.

Jerry made a motion to have Forrest Borre continue as Treasure. Seconded by Shane Espinoza. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

Assigned positions:

Check Signing: Forrest, Jerry and Billy Jack.

Personnel: Forrest and Bob.

Water: Eva and Jerry (Bob Bussetti alternative)

Parks: Steve Ricotta.

(Please see attached Mayor' Report)-

**COMMITTEE REPORTS:**

**ROAD & MAINTENANCE REPORT:** Billy Jack read Rick's report for month of November. (Please see attached report)

**PARKS:** Steve reported the town has 3 parks. Park signs should be delivered soon; they were delayed due to the order being misplaced by the Signage Company.

Pg 2 of 6



Billy Jack brought up some unfinished business by asking if Rick ever received his uniforms yet. It was reported that he has not received them yet however, Lucinda is getting them ordered.

**TREASURE:** Forrest stated that the town is seeing minimal to no water loss. Looking at a possible decrease next month in water billing from \$3.98 1000 gallons to \$3.47 a 1000 gallons Billy Jack stated that Florence's is not making enough money on water since prison went to water saving measures and Florence may increase their rate in April. Forrest made a motion to lower town water cost. Billy Jack seconded the motion. Roll call: 7 yes, 0 no, 0 absent and 0 abstain. Motion carried:

Forrest made a motion to remove Alberta Winslow and Nia Stewart from check signing. Asked Forrest to defer his motion and bring up again under New Business.

Forrest started reading some account totals then stated they were wrong that he was reading some of the numbers of October's report. Please see Novembers attached report.

Eva asked if the town sold any water taps in November. Lucinda stated that 1 was sold however Florence has not been paid yet due to waiting for the check to clear.

**TOWN CLERK:** Lucinda reported that no building permits were issued in November. Reported she's working on the finalization of the budget; Mill Levy certification due by December 15, 2016, Hutf Report completed, Conservation Trust Recertification annual submittal. Inquiry of 3 water taps.

Lucinda is going to contact Florence to see if they could assist Rick with road maintenance by use of water truck and road grader. Florence plans to revisit the water system cost due to the federal prison not carrying their weight with water cost. Florence is offering a water tap discount and Lucinda will ask if it includes their debt retirement. Discussed the need on updating our water software; the old system is becoming obsolete she will e-mail board members with the information.

Eva recommended that the town give 1000 to 2000 gallons of water to customers at no cost. Lucinda commented that the town still has to pay for treatment and transport cost for the water and that there's no such thing as free water.

**OLD BUSINESS:**

**1. RESOLUTION 3 OF 2016 – BUDGET APPROVAL**

PL 316

Jerry read the important parts of the budget; stated that before the budget goes out the figures will be double checked and needs to be completed next week. Jerry made a motion to accept the 2017 budget. Seconded by Forrest. Roll call 5 yes, 2 no (Shane & Eva) Eva gave reason that she did not have a chance to look at it. 0 abstain and 0 absent. Motion carried.

Steve Ricotta  
Conf/Not

**2. RESOLUTION 4 OF 2016 – RETENTION**

Jerry read the retention list of town employee's and their positions also the 3 board of trustees that are check signers: Jerry Farringer, Forrest Borre & Billy Jack Hawkins. Motion was made by Jerry to approve the Resolution 4 of 2016 Retention. Seconded by Billy Jack. Roll Call: 5 yes, 2 no (Shane & Eva) 0 abstain and 0 absent. Eva did state that the date on resolution needed changed. Motion carried.

**3. RESOLUTION 5 OF 2016 – MILL LEVY**

Mill Levy will remain the same at 3.49 %. Results from the November 8, 2016 election for a Mill Levy increase did not pass. Motion made by Jerry to approve the Mill Levy Resolution 5 of 2016. Seconded by Forrest. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.

**4. FREMONT COUNTY HUMANE SOCIETY CONTRACT**

Forrest commented that he would like to add an addition to the Humane Society contract stating that if did not provide the town of Williamsburg with monthly information on number of animal they picked up/brought in by citizens or code enforcement the town can withhold 1 month of pay. Forrest made the motion to accept the contract of \$645.00 a year with the addition and to allow Forrest & Billy Jack to negotiate with Humane Society Director Doug Rae. Billy Jack seconded the motion. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

Steve Ricotta  
Conf/Not

**5. PERSONNEL ANNUAL BONUSES**

Forrest made a motion to give personnel an annual bonus of \$400.00. Seconded by Bob. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

Billy Jack asked if there was any information about the bike rack. Lucinda stated that she has not heard any response back from the Florence High School yet.

**NEW BUSINESS:**

**1. APPOINTING OF PLANNING AND ZONING COMMITTEE**

PL496



Lucinda stated the citizens that signed an interest in planning in zoning committee was Joe Purvis, Perry Souza, Ron Mares, David Lee, Billy Jack Hawkins, Bob Busetti and Shane Espinoza. Board asked for Billy Jack to set up the meeting date. Jerry made the motion to accept the above list of citizens. Seconded by Steve Ricotta. Discussion Bob Busetti withdrew from the committee due to having 3 board members and would be breach of the Sunshine law. List accepted minus Bob. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

## 2. HIRING OF DEPUTY CLERK & CODE ENFORCEMENT OFFICER

Forrest stated that he and Alberta held job interviews. Forrest recommendation was to hire Donnita Hawkins a Deputy Clerk in January 2017 if she agrees to accept the position. Seconded by Steve Ricotta. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried.

Forrest recommendation is to hire John Purvis for Code Enforcement Officer. Seconded by Billy Jack. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion Carried. Forest asked John if he is willing to accept the position. He stated yes. Jerry stated his position will be effectively immediately.

## 3. VACATE ALLEYWAY

*Steve Ricotta doesn't NEED change*  
A Written submission by Donna Duncan to vacate alleyway of block 4 on Pikeview and The Brotherhood of the 74 request the same for block 5. A motion was made by Billy Jack to vacate the 10 foot alleyway easement between east and west lots. Seconded by Forrest. Roll Call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carried.

## 4. OFFICE WINDOW

Discussion held on putting in a window on the half door in the office for employee safety. Jerry made a motion to approve 1200.00 to install the window. Billy Jack seconded the motion. Discussion held. Forrest suggested a one way door lock. Shane Espinoza stated a need of 3 estimates for that installation. Forrest suggested giving it some more thought before we place window in the door. Jerry revoked his motion and Billy Jack revoked his second.

Forrest made a motion to remove Alberta Winslow and Nia Stewart from the checking account and signers on the account. Seconded by Jerry. Roll call: 7 yes, 0 no, 0 abstain and 0 absent. Motion carries.

## CITIZENS COMMENTS:

*PL5 of 6*

1. Ron Mares – Recommended when requesting anything regarding vacating property it needs to go through the Planning and Zoning Committee. Comment was made there was no committee at the time however, they would only make recommendation and the board makes the decision.
2. Eva Mares – Commented on the Mayors duties she asked why Jerry did not appoint Shane for roads. Jerry stated the only positions voted on is Pro Tem Mayor and Treasure all other positions were appointed.

**NEXT SCHEDULED BOARD MEETING: Monday, January 9, 2017 at 7:00p.m.**

**ADJOURNEMENT:** Billy Jack made a motion to adjourn the meeting. Seconded by Jerry. All in favor Aye. Unanimous. Meeting adjourned at 9:16 p.m.

Minutes prepared by: Donnita Hawkins

Respectfully Submitted by, Lucinda Ricotta.

*PRB/6*